

DOCKET NO. 9558-003-27

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:	Toshiki TAYA, et al.	ART UNIT:	1634
SERIAL NO.:	09/865,579	EXAMINER:	J. Switzer
CONFIRMATION NO.:	3666		
FILING DATE:	May 29, 2001		
FOR:	OLIGONUCLEOTIDES AND METHOD FOR DETECTION OF MECA GENE OF METHICILLIAN-RESISTANT STAPHYLOCOCCUS AUREUS		

REQUEST FOR CREDIT TO DEPOSIT ACCOUNT

COMMISSIONER FOR PATENTS
PO BOX 1450
ALEXANDRIA, VA 22313-1450

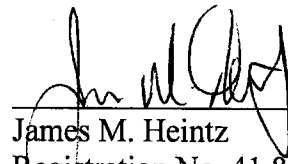
SIR:

We are requesting a review of the \$1,440.00 Issue Fee (Fee Code 1501) that was charged to Deposit Account No. 50-1442, for the above referenced patent application. The Issue Fee was initially paid on March 24, 2005, in the amount of \$1,700.00 (\$1,400 Issue Fee and \$300 Publication Fee - pertinent filing papers attached including the date-stamped filing receipt evidencing same). Additionally, per the Examiner's request, we indicated that the previously applied Issue and Publication fees be applied to the current fees due on the current Issue Fee transmittal form (PTOL-85). Due to the increase in the amount of Government Fees effective October 1, 2007, we authorized the Deposit Account to be debited the additional \$40.00; however, the account was debited the entire \$1,440.00.

Therefore, since the Issue Fee was previously paid, we are respectfully requesting a refund in the amount of \$1,400.00 to Deposit Account No. 50-1442.

Respectfully submitted,

DLA PIPER US LLP



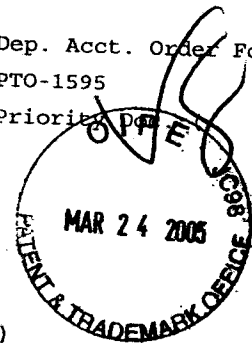
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Facsimile No. 202.799.5000

Docket No.: 9558-003-27 By: SBK/PW/kaqClient/Matter #.: 303892-3Serial No.: 09/865,579In the Matter of the Application of: Toshiki TAYA, et al.For: OLIGONUCLEOTIDES AND METHOD FOR DETECTION OF MECA GENE OF METHICILLIN-RESISTANT STAPHYLOCOCCUS AUREAUS

The following has been received in the U.S. Patent Office on the date stamped hereon:

- ☐ _____ pp. Specification & _____ Claims/Drawings _____ Sheets
☐ Combined Declaration, Petition & Power of Atty. (____ Pages/Executed)
☐ Utility Patent Application Transmittal
☐ Provisional Patent Application Transmittal
☐ Request for Continued Examination (RCE)
☐ List of Inventors' Names and Addresses
☐ List of 10 Practitioners To Be Recognized By the Office
☒ Fee Transmittal
☒ Check for \$1700.00
☐ Assignment _____ pages (executed)
☐ Request for Priority
☐ White Advance Serial Number Postcard
☐ Preliminary Amendment
☐ Letter to Official Draftsman
☐ Drawings _____ sheets
☒ Letter (Transmittal)
☐ Request for Extension of Time (_____ month(s))
☐ Amendment
☐ Restriction Response
☐ Information Disclosure Statement
☐ List of Related Cases
☐ Cited Documents (_____)
☐ _____ Search Report
☐ Statement of Relevancy
☐ Notice of Appeal
☐ Rule 132 Declaration (____ Pages/Executed)
☒ Issue Fee Transmittal
☐ Other
- ☐ Dep. Acct. Order Form
☐ PTO-1595
☐ Priority Document

DUE DATE: March 28, 2005

slm

DLA PIPER RUDNICK GRAY CARY U.S. LLP

1200 NINETEENTH STREET, NW
WASHINGTON, DC 20036-2412
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FACSIMILE: 202-223-2085

DOCKET NO.: 9558-003-27

ASSISTANT COMMISSIONER FOR PATENTS
PO BOX 1450
ALEXANDRIA, VA 22313-1450

Re: Serial No.: 09/865,579
Applicant(s): Toshiki TAYA, et al.
Filing Date: May 29, 2001
For: OLIGONUCLEOTIDES AND METHOD FOR DETECTION OF
MECA GENE OF METHICILLIN-RESISTANT STAPHYLOCOCCUS
AUREUS
Group Art Unit: 1634
Examiner: Juliette Caroline Switzer

SIR:

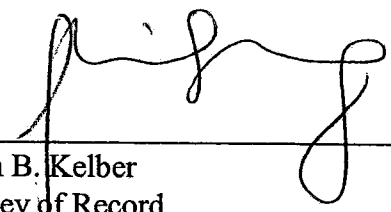
Attached hereto for filing are the following papers:

Fee Transmittal
Issue Fee Transmittal

Our check in the amount of \$1700.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary extension of time to make the filing of the attached documents timely, please charge or credit the difference to Deposit Account No. 50-1442. Further, if these papers are not considered timely filed, then a request is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

DLA PIPER RUDNICK GRAY CARY U.S. LLP

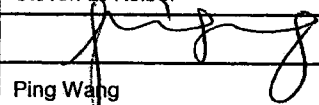


Steven B. Kelber
Attorney of Record
Registration No.: 30,073

Ping Wang
Registration No. 48,328

<h2 style="margin: 0;">FEE TRANSMITTAL</h2> <h3 style="margin: 0;">FY 2005</h3>				Docket No.		9558-003-27			
				Serial No.		09/865,579			
				Filing Date		May 29, 2001			
				Inventor(s)		Toshiki TAYA, et al.			
				Group Art Unit		1634			
TOTAL AMOUNT OF PAYMENT				\$1,700.00		Examiner		Juliette Caroline Switzer	

1. <input type="checkbox"/> Applicant claims small entity status. <input checked="" type="checkbox"/> Charge any UNDERPAYMENT or credit any OVERPAYMENT in the indicated fees to Deposit Account No. 50-1442. <input type="checkbox"/> Charge the indicated fees to Deposit Account No. 50-1442.						FEE CALCULATION (continued)									
						3. ADDITIONAL FEES									
						Large Entity		Small Entity		Fee Description					
2. <input checked="" type="checkbox"/> Check enclosed.						Fee Code	Fee (\$)	Fee Code	Fee (\$)		Fee Paid				
						FEE CALCULATION									
1. BASIC FILING FEE						1051	130	2051	65	Surcharge-late filing fee or oath					
						1053	130	1053	130	Non-English Specification					
Large Entity		Small Entity		Fee Description		1251	120	2251	60	1-mo. ext. of time					
Code	Fee \$	Code	Fee \$		Fee Paid	1252	450	2252	225	2-mo. ext. of time					
1011	300	2011	150	Utility Filing Fee		1253	1020	2253	510	3-mo. ext. of time					
1012	200	2012	100	Design Filing Fee		1254	1590	2254	795	4-mo. ext. of time					
1013	200	2013	100	Plant Filing Fee		1255	2160	2255	1080	5-mo. ext. of time					
1014	300	2014	150	Reissue Filing Fee		1401	500	2401	250	Notice of Appeal					
1005	200	2005	100	Provisional Filing Fee		1402	500	2402	250	Appeal Brief					
1111	500	2111	250	Utility Search Fees		1403	1000	2403	500	Request for Oral					
1311	200	2311	100	Utility Examination Fees		1501	1400	2501	700	Utility/Reissue Issue	1400				
SUBTOTAL							\$0.00	1504	300	1504	300	Publication Fee	300		
2. EXTRA CLAIM FEES						8001	3	8001	3	Advance Copy of Patent					
tot. claims		-	20*	=	0	x	\$50	=	0	1806	180	1806	180	IDS Submission	
ind. claims		-	3*	=	0	x	\$200	=	0	8021	40	8021	40	Assignment Recordation	
<input type="checkbox"/> Multiple Dependent Claims							\$360	=		1801	790	2801	395	For Filing RCE	
SUBTOTAL							0	1814	130	2814	65	Terminal Disclaimer			
3. APPLICATION SIZE FEES						Other:									
Total # of Sheets						# of Extra Sheets									
		-	100	=	0										
# of each additional 50 sheets or fraction thereof (round up)						Fee		Total Fee Due		SUBTOTAL		1700			
		x	\$250	=	0										

Name	Steven B. Kelber	Registration No.		30,073	
Signature		Date	3/24/05	Telephone	202-861-3900
Name	Ping Wang	Registration No.		48,328	

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
(703) 746-4000

or Fax

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

7590

12/28/2004

Supervisor, Patent Prosecution Services
PIPER MARBURY RUDNICK & WOLFE LLP
1200 Nineteenth Street, N.W.
Washington, DC 20036-2412

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/865,579	05/29/2001	Toshiki Taya	9558-003-27	3666

TITLE OF INVENTION: OLIGONUCLEOTIDES AND METHOD FOR DETECTION OF MECA GENE OF METHICILLIN-RESISTANT STAPHYLOCOCCUS AUREUS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$1700	03/28/2005

EXAMINER	ART UNIT	CLASS-SUBCLASS
SWITZER, JULIET CAROLINE	1634	435-006000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Steven B. Kelber

2 DLA Piper Rudnick

3 Gray Cary US LLP

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Tosoh Corporation

Yamaguchi-ken, Japan

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

☒ Issue Fee

☒ Publication Fee (No small entity discount permitted)

☐ Advance Order - # of Copies

4b. Payment of Fee(s):

☒ A check in the amount of the fee(s) is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-1442 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Date

Typed or printed name Ping Yang

Registration No. 48,328

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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